

12/17/01
USPTO
12/17/01

PATENT

Customer Number 22,852
Attorney Docket No. 06502.0054-01

10/015801
12/17/01
USPTO
12/17/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS AND TRADEMARKS
Washington, D.C. 20231

Prior Application Art Unit: 2771 Prior Application Examiner: J. Fleurantin

SIR: This is a request for filing a

Continuation Continuation-in-Part Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 09/044,933, filed March 20, 1998, of Ann M. WOLLRATH, James H. WALDO, Peter C. JONES, Kenneth C.R.C. ARNOLD for METHOD AND APPARATUS FOR TRANSPORTING BEHAVIOR IN AN EVENT-BASED DISTRIBUTION SYSTEM.

1. Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 09/044,933 as originally filed on March 20, 1998, which is incorporated herein by reference.
2. Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 1.22(b)(2)(B)(i).
4. Cancel Claims 1-4 and 10-13 without prejudice or disclaimer.
5. A Preliminary Amendment is enclosed.
6. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 5 above.

| Basic Application Filing Fee | | | | \$740 | \$ 740.00 |
|---|------------------|-------|--------------|--------|-----------|
| | Number of Claims | Basic | Extra Claims | | |
| Total Claims | 7 - | 20 | 0 | x \$18 | 0.00 |
| Independent Claims | 1 - | 3 | 0 | x \$84 | 0.00 |
| <input type="checkbox"/> Presentation of Multiple Dep. Claim(s) | | | | +\$280 | |

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

| | |
|-------------------------------------|------------------|
| Subtotal | \$ 740.00 |
| Reduction by 1/2 if small entity | - |
| TOTAL APPLICATION FILING FEE | \$ 740.00 |

TOP SECRET//COMINT

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

7. A check in the amount of \$740 to cover the filing fee is enclosed.

8. The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.

9. Amend the specification by inserting before the first line, the following new paragraph:

10. New formal drawings are enclosed.

11. The prior application is assigned of record to: Sun Microsystems, Inc.

12. Priority of application Serial No. [Text], filed on [Text] in [Country] is claimed under 35 U.S.C. § 119. A certified copy
 is enclosed or is on file in the prior application.

13. Small entity status is appropriate and applies to this application.

14. The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.; Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvoold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Heftner, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewis, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348;

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Roger D. Taylor, Reg. 28,992; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanho Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045; Joann M. Neth, Reg. No. 36,363; Gerson S. Panitch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; Linda A. Wadler, Reg. No. 33,218; Jeffrey A. Berkowitz, Reg. No. 36,743; Michael R. Kelly, Reg. No. 33, 921; James B. Monroe, Reg. No. 33,971; Doris Johnson Hines, Reg. No. 34,629; Allen R. Jensen, Reg. No. 28,224; Lori Ann Johnson, Reg. No. 34,498; David A. Manspeizer, Reg. No. 37,540; John Rissman, Reg. No. 33,764; M. Lawrence Oliverio, Reg. No. 30,915; and Therese Hendricks, Reg. No. 30,389.

15. The power appears in the original declaration of the prior application.

16. Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.

17. Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852.**

18. Recognize as associate attorney _____

19. Also enclosed is an Information Disclosure Statement _____

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

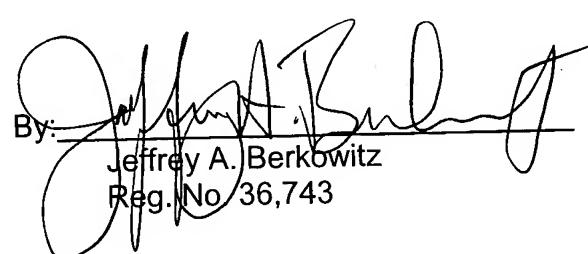
1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application, serial no. 09/044,933, filed March 20, 1998, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 17, 2001

#238498v1

By: 

Jeffrey A. Berkowitz
Reg. No 36,743

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com